

DISTRICT V ADVISORY BOARD
Minutes
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September 13, 2004
8:00 p.m.

Auburn Hills Golf Course Clubhouse
443 S. 135th West

Prior to the District Advisory Board meeting, a reception was hosted by Council Member Martz for residents of District V to meet and welcome **City Manager George Kolb and his wife, Sandy**. Approximately 50 people attended the reception.

The District V Advisory Board meeting followed at 8:00, attendance by nine District Advisory Board Members and four City Staff. Approximately 40 members of the public were present with 35 signing the signup sheet.

Members Present

David Almes
Bob Bulman
David Dennis
Maurice Ediger
Andy Johnson
John Marker
DeAnn Sullivan
Ann Welborn
Monica Vashaw
Council Member Bob Martz

Staff Present

Officer John Crane, Police
Scott Knebel, Planning
Jim Armour, Public Works
Dana Brown, City Manager's Office

Guests

Listed on last page

Members Absent

Steve Winslow

ORDER OF BUSINESS

Before calling the meeting to order, **City Clerk Karen Sublett** conducted a swearing in for all DAB Members present (as shown above) through their oath of office to serve the District V Advisory Board. The ten DAB Members were reappointed by Council Member Martz to serve until July 2005.

Call to Order

Bob Martz, City Council Member, called the meeting to order at 8:03. Council Member Martz welcomed the public and explained the purpose of the District Advisory Board (DAB) as being a citizen advisory group for him in actions taken during City Council Meetings. He said the Board consists of voluntary members who hear both district and citywide issues and make recommendations as representatives of the district. As a Council Member, he said that he facilitates the meeting but does not vote but rather considers the DAB recommendations in his vote when action is taken by the City Council.

(Bob Bulman arrived.)

Approval of Minutes and Agenda

The minutes for August 2, 2004 were approved as written by a vote of 9:0 (**Johnson/Almes**). The agenda for the September 13, 2004 meeting was approved as presented.

Staff Reports

Community Police Report

School Resource Officer John Crane, Northwest High School

Officer Crane said that he was reporting on behalf of the Community Police. He said he had been assigned to Northwest High School for nine of his 23 years in policing. He said that he loved to be around young people who are creative problem solvers. In fact, the students have actually helped with identifying offenders and solving crimes.

Officer Crane said he believed that District V was one of the best areas of policing, as Capt. Terry Nelson truly believes in supporting the community and the district. One of his strategies to use ten-hour shifts resulted in providing more police power due to overlapping the shifts by at least five hours. Officer Crane reported that Capt. Nelson had been selected the Department's "Officer of the Year."

Officer Crane also spoke in support of the Teen Pages available tonight as a great resource for youth. He encouraged all parents to take one for each of their youth. He also invited anyone to contact him, if needed, at 773-6006.

Dennis asked about a concern with an accident just outside his home around 1:00 a.m. in which police were called but no one responded. **Crane** said he couldn't say but that he would check.

Action: Receive and file

New Business

Petitions to pave Firefly Drive and Azure Lane in Whistling Walk Estates Additions (south of 13th, west of 119th Street West)

Jim Armour, Public Works, presented two petitions to pave the roads of Firefly Drive and Azure Lane in the Whistling Walk Estates Additions: (1) a petition signed by 27 of 52 (51.92%) of the resident owners and 41.15% of the improvement district area north of the Cowskin Creek floodway that runs south under the 13th Street Bridge; and, (2) another petition to pave only Firefly Drive and Azure Lane in the area immediately south of 13th to the bridge over Cowskin Creek with signatures representing 22 of 37 (59.46%) and 49.31% of the improvement district area. Armour reported that state statutes provide that a petition is valid if signed by a majority of resident property owners, or by a majority of property owners in the improvement district.

Armour provided information on assessment estimates for asphalt mat with a total project cost of \$625,000. Paving with curb & gutter estimates had been previously sent to DAB Members, reflecting a total cost of \$768,000. The method of assessment is the fractional basis, as determined by staff to be the most equitable.

Armour said the existing drainage issues would definitely need to be considered in determining the options of paving the roads with curb & gutter, or asphalt. He said that curb & gutter allows

better drainage to the storm sewer inlet and, although ditches along the roadside help, they have created maintenance problems for staff in keeping them cleaned. Armour said the engineering firm contracted could determine which option would be most feasible. He stated that the City preferred curb & gutter overall but either option would provide improved access to the developed residential area to bring the neighborhood to the City's standards. He recommended the District Advisory Board recommend approval to pave all streets in Whistling Walk Estates Additions.

Members of the public were especially concerned about the project compounding the existing drainage issues such as flooding yards, washed out roads, and negative effects on septic systems. Questions and comments were also made about responsibility for maintenance, if improvements to the 13th Street Bridge would improve drainage, receiving conflictive information about the petition process from City departments, steep driveways, neighborhood traffic, which option fits the neighborhood character, the two methods of calculating the assessments, and overall drainage on the west side of Wichita.

DAB Members asked Armour for clarification on several issues expressed by the property owners and asked further questions on cost of maintenance for each type of improvement, responsibility for maintaining culverts, and encouraged the property owners to vacate Azure Lane if they do not plan to continue the road into the adjacent addition. They asked that the engineering firm contracted by the City meet with the property owners to collect input and address their concerns. **Council Member Martz** explained that progress with addressing the flooding in District V and how it has to be handled one neighborhood at a time. He said that the work is being coordinated with Sedgwick County as well as State and Federal agencies, which all takes time.

Bulman (Ediger) moved that the project be recommended for approval with neighborhood meetings provided by the contract firm to obtain input from property owners. Motion passed 9:0.

Action: Motion passed 9:0 to recommend the Council approve the petition and request two meetings be scheduled by the contractor with the residents to obtain input.

Planning Agenda

CUP2004-35 (DP-50 Amendment #5) Carriage House

Scott Knebel, Planning Department, presented information regarding a request to amend Parcel 2 of DP-50 to permit an existing business currently holding dance hall and drinking establishment-restaurant licenses to also obtain a cabaret license. The subject property is located at 660 S. Tyler, Suite 226, North of Kellogg and east of Tyler and is currently zoned as "LC" Limited Commercial & "GC" General Commercial.

The current business, Pistachios, requested the amendment to obtaining the cabaret license in order to offer live entertainment. The business hopes to offer the entertainment in the form of a disk jockey who interacts with the audience. Should the request be granted and the business be allowed to have all three licenses, it would be handled as a "night club in the city," according to the *Unified Zoning Code*. The designation is permitted in the LC district except when it is located within 200 feet of a church, place of worship, public park, school, or residential zoning district. Due to residential zoning existing 183 feet north from the property, an amendment of

the CUP is necessary to allow a nightclub. The remainder of the surrounding area is primarily commercial use.

DAB Members asked questions about any possibility of the business having an outdoor area with music or sound; how the restriction differed for drive-up window ordering at fast food businesses; where an outdoor area might even be located—in front or behind the business; any past problems with the clientele of the business; and, any concerns regarding the request or an outdoor serving area from neighboring residents or businesses.

Knebel answered the questions, explaining that the code does allow an outdoor area for a “night club” and that music would be allowed but the music is restricted from going beyond the property line. However, he said this is unrealistic, as sound can’t be stopped at a certain point. He said the outdoor area could actually be located anywhere but staff is recommending that the total business area not exceed 6,100 square feet of the business property. **Gene Razook, agent for the business owner**, was available to answer questions also.

Action: Recommended by a vote of 9: 0 that City Council approve the request and support the staff recommendations that the total area be restricted to 6,100 square feet of gross floor area.

Council Member Martz encouraged the residents to form an organized association in order to have a unified voice. The residents were also told they could contact the Neighborhood Assistant for a packet of information on how to develop an association. **Armour** thanked everyone who called for clarification on the item. **Lou Sheets, 1249 Firefly**, asked if the item would be heard by City Council on October 19 to which **Councilmember Martz** said yes.

Public Agenda

This portion of the agenda provides an opportunity for citizens to present items not shown as part of the regular meeting agenda.

No items were presented.

Board Agenda

Updates, Issues, and Reports

Reports given about activities, events, or concerns in the neighborhoods and/or District V.

Council Member Martz

DAB Members

Bulman reported that the issues near the railroad next to Northshore Boulevard were resolved and the area had now been graded.

Johnson told about visiting the Air Museum and that the roof was in poor condition. He asked if repair had been planned. **Council Member Martz** said this would be checked.

Bulman asked about having the United States and City flags posted during the meeting. **Council Member Martz** said this would be checked also.

Almes asked about the trees on 119th between 17th & 21st Streets where the recent improvement was made. **Staff** reported that contact had been ongoing with the project manager regarding this issue and the contractor had one year to replace the trees if they didn't survive. That time period will end soon so staff will check again.

Bulman commented that he appreciated not having a bad taste in the city water this summer. He also asked if construction trucks could use city hydrants to obtain water. **Council Member Martz** said they shouldn't be doing that and this would be reported.

Action: Staff will follow up on noted items.

The next regular meeting for District Advisory Board V is scheduled at Auburn Hills Clubhouse at **7:00 p.m. on November 1, 2004.**

The meeting was adjourned at approximately 10:30 p.m.

Respectfully Submitted,

Dana Brown, Neighborhood Assistant
City Council District V

Guest List:

Louis St. Clair, 1339 Fawnwood Ct, 67235
Teresa Faze, 531 Pamela St, 67212
Kay Kessler, 230 Mesa, 67212
Judy Park, 12231 W. Sheriac, 67235
Lou R. Sheets, 1249 Firefly, 67235
Mike Johnson, Dollar Rent-A-Car, 67212
Henry Harvey, 120 S. Ryan, 67209
Ralph Hudson, 1232 Firefly, 67235
Pattie Hudson, 1232 Firefly, 67235
Don Meiergerd, 1530 N. Coach House, 67235
Charlotte Pate, 1334 N. Firefly, 67235
Allen Goodwin, 1216 Firefly, 67235
Mary Goodwin, 1216 Firefly, 67235
Gordy Slofolk, 1150 Firefly, 67235
Daniel Paleck, 1160 Firefly, 67235
Scott Alton, 1159 N. Firefly, 67235
Mark Alton, 1159 N. Firefly, 67235
John Schrower, 1248 Firefly, 67235
Gaylene Schrower, 1248 Firefly, 67235
Gene Razook, 205 Live Oak, 67206
Tom Kruse, 1233 N. Firefly, 67235
Mel Smith, 1318 N. Firefly, 67235
Shirley Smith, 1318 N. Firefly, 67235
Brad Knoty, 1269 Firefly, 67235

Cathy Knoty, 1269 Firefly, 67235
Susan Shert, 1249 Firefly, 67235
Betty Ladwig, 406 N. Joan, 67235
Edwin Scherley, 1201 N. Firefly, 67235
Kari Scherley, 1201 N. Firefly, 67235
Ed Clupny, 1217 N. Firefly, 67235
Tina Clupny, 1217 N. Firefly, 67235
Don Klausmeyer, 1035 N. Firefly, 67235
Paul Kelsey, 1027 N. Firefly, 67235
Lary D. Ashley, 1317 Azure Ln
Clete B. Dold, 281 S. Breezy Lakes, 67235